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Part V

Environmental Protection Agency

Availability of TSCA Revised Inventory

ENVIRONMENTAL PROTECTION AGENCY

[OPTS 80008A; FRL 1554-3]

Availability of TSCA Revised Inventory

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: A Cumulative Supplement to EPA's *Toxic Substances Control Act Chemical Substances Inventory: Initial Inventory* will be published and become available on July 30, 1980. The Cumulative Supplement, when combined with the Initial Inventory published in May 1979, will constitute the Revised Inventory with a total of 55,103 chemical substances. Copies of the Cumulative Supplement will be available through the EPA Industry Assistance Office.

FOR FURTHER INFORMATION CONTACT: John B. Ritch, Jr., Director, Industry Assistance Office, Office of Pesticides and Toxic Substances (TS-799), U.S. Environmental Protection Agency, 401 M St., SW, Washington, DC 20460, toll-free (800-424-9065), in Washington, DC (554-1404).

SUPPLEMENTAL INFORMATION:

A. Publication of the Revised Inventory

Section 8(b) of the Toxic Substances Control Act (TSCA), Public Law 94-469, requires the Administrator of the U.S. Environmental Protection Agency to identify, compile, keep current and publish a list of chemical substances which are manufactured, imported, or processed for commercial purposes in the United States. In accordance with this requirement, EPA promulgated the Inventory Reporting Regulations (40 CFR Part 710) in December 1977, which set into motion a two-phase reporting period. The first phase, January 1-June 1, 1978, affected manufacturers and importers of chemical substances in bulk form. This resulted in the publication of the *Toxic Substances Control Act Chemical Substances Inventory: Initial Inventory* in May 1979, listing 43,641 chemical substances reported during the first reporting period. Another 3,000 chemical substances, which were received too late for inclusion in the May version or had been defined inadequately during the first reporting period, were listed in an October 1979 publication, *Toxic Substances Control Act Chemical Substances Inventory: Supplement I.*

Publication of the Initial Inventory marked the beginning of a second Inventory reporting period of 210 days during which persons who processed or used for a commercial purpose, or imported as a part of a mixture or an article, a substance that was not included on the Initial Inventory, could report such substance if it had been imported or processed for a commercial purpose since January 1, 1975. It also signaled the commencement of the last 30 days during which manufacturers and importers could report new chemical substances being manufactured or imported in bulk. After July 1, 1979, manufacturers or importers of new chemical substances in bulk were required to comply with the premanufacture notification requirements of section 5 of TSCA.

On July 30, 1980, EPA will publish and make available a Cumulative Supplement to the Initial Inventory. The Cumulative Supplement, combined with the Initial Inventory published in May 1979, will constitute the Revised Inventory with a total of 55,103 chemical substances and 686 generic names for substances with confidential identities. With the publication of the Cumulative Supplement, and hence the Revised Inventory, the Agency has completed all phases of Inventory reporting, and premanufacture notification requirements of section 5 will apply to all chemical substances manufactured and imported in bulk or as part of a mixture which has not been reported for the Inventory.

B. Termination of Inventory Reporting

After July 1, 1979, the Agency continued to receive late submissions from manufacturers and importers of substances in bulk. EPA finally concluded that sufficient time had passed and on April 18, 1980 published a notice in the **Federal Register** (45 FR 26452) indicating that, effective May 19, 1980, the Agency would no longer accept late Inventory reports from manufacturers and importers of substances in bulk. Thereafter any chemical substance manufactured in the United States and any substance imported in bulk, that had not been reported for the Inventory, was subject to premanufacture notification requirements under section 5 of TSCA. This termination did not apply to substances that were processed, or imported as part of mixtures and articles. Such substances may be reported until August 30, 1980, or 30 days after publication of the Cumulative Supplement. Any substance not reported for the Inventory by August 30, 1980, must go through the premanufacture review process before it may be manufactured or imported for a commercial purpose. The Agency will accept no late reports for the Revised Inventory as it did for the Initial Inventory.

C. Corrections to Previous Inventory Reporting Forms

EPA will continue to accept corrections related to substances previously reported for the Inventory. The corrections must fall into one of three categories and be accompanied by adequate documentation. Unless otherwise directed, all corrections should be sent to: U.S. Environmental Protection Agency, P.O. Box 02231, Columbus, OH 43202.

The first category includes corrections of the chemical identity of previously reported materials. Improved analytical methods and equipment, as well as a developing state of the art, will allow for more accurate description of previously reported chemical substances. Consequently, the Agency will accept submissions concerning:

(1) Corrections of typographical or transcriptional errors in recording chemical identity on the Inventory reporting forms.

(2) Refinement of the identity of a reported substance, e.g., by narrowing the range of the values for a polymer.

(3) Identification of new components in the material, e.g., finding that a chemical substance reported as A is actually a mixture of A and B.

(4) Discovery that a chemical substance is different from that reported previously, e.g., determining that a substance reported as A is actually C or that a substance reported as D is actually a mixture of E and F.

The regulations do not permit reporting impurities or byproducts without commercial purposes. Adequate documentation of the aforementioned corrections must include:

(1) A copy of the Inventory reporting form previously submitted.

(2) A new Inventory reporting form with the correction.

(3) A description of the nature of the correction and how the need for it was discovered.

The second category consists of corrections which identify previously unrecognized isolated intermediates which occur during the manufacture of a product already reported for the Inventory. Adequate documentation must include:

(1) A copy of the Inventory reporting form previously submitted for the final product and any other related intermediates.

(2) A new Inventory reporting form for the intermediate.

(3) A description of the relationship among all the intermediates and the end-product.

(4) Documented proof that the intermediate was isolated between January 1, 1975 and July 1, 1979.

The third category consists of corrections made in response to communications from EPA which identify reporting errors and request corrections. Adequate documentation must include a copy of the communication from EPA and the correction requested or directed by EPA.

D. Contents and Use of the Cumulative Supplement

The Cumulative Supplement includes all 3,000 substances reported in Supplement I, which may now be discarded, and the more than 6,000 submissions received during the second Inventory reporting phase for processors. It does not contain all eligible chemical substances reported since the publication of the Initial Inventory. Substances with confidential identities do not appear, although generic names which have been developed for some of the confidential substances are included in Appendix B. Additionally, substances still in process do not appear, including:

(a) The reaction products of unidentified trademarked substances.

(b) Trademarked substances reported during the second reporting period as Form E submissions.

(c) Submissions containing nonconfidential substances with yet-to-be-resolved problems.

(d) Submissions received too late for inclusion in the Cumulative Supplement.

These substances are included in the Agency's Master Inventory File which is continually updated as new information becomes available. Chemical names of these substances (or generic names if identity is confidential) will be published as soon as the problems have been adequately resolved. In the future, the Agency may publish updates to the Revised Inventory.

Like the Initial Inventory, the Cumulative Supplement is organized in four sections:

(a) A list of chemical substances in ascending order of Chemical Abstracts Service (CAS) Registry Numbers, with each substance identified by its corresponding CAS preferred chemical nomenclature.

(b) A Substance Name Index listing CAS-preferred chemical names alphabetically with their corresponding synonyms.

(c) A Molecular Formula Index listing molecular formulas for the substances according to the Hill System.

(d) A UVCB Index listing chemical substances of *U*nknown or *V*ariable Composition, *C*omplex Reaction Products, and *B*iological Materials.

The three indices provide alternative means of finding the listed substances and should be used in conjunction with, but not as a substitute for, the listing of CAS Registry Numbers.

In the Cumulative Supplement, names of chemical substances identified by a dagger (†) denote substances that are defined more precisely in Appendix A: Chemical Substance Definitions. Appendix B: Confidential Chemical Substance Identities, lists generic (less specific) names of chemical substances that are included in the Master Inventory File, but whose specific identities are confidential. These names were developed according to procedures specified in the EPA publication, *Guidelines for Creating Proposed Generic Names for Confidential Chemical Substance Identities for the TSCA Inventory*. Each generic name describes a number of substances, but only those substances actually reported are contained in the Master Inventory File.

For submitters who cannot locate their reported substances on the Revised Inventory, i.e., the Initial Inventory and the Cumulative Supplement, the Agency is providing an Inventory Inquiry Service. A submitter may ask EPA to determine the status of any submission in question and confirm that it has been included in the Agency's Master Inventory File. The Agency will attempt to provide that confirmation within two weeks, although certain types of responses may require more time. All requests must be made in writing and be accompanied by a legible copy of the Inventory Reporting Form as it was submitted. Requests should be addressed to: Inventory Inquiry Service, U.S. Environmental Protection Agency, P.O. Box 02331, Columbus, OH 43202.

Anyone who intends to manufacture or import a chemical substance that is not on the published Revised Inventory or which falls within one of the published generic names may ask EPA whether the substance is in the Agency's Master Inventory File, in order to determine whether it is, in fact, new. The Agency will respond only if the inquirer demonstrates a bona fide intent to manufacture or import the substance for a commercial purpose not exempted under TSCA. Procedures for establishing a bona fide intent are set forth in the Inventory Reporting Regulations (40 CFR Part 710) and again in the Premanufacture Notification Requirements and Review Procedures published in the **Federal Register** of January 10, 1979 (44 FR 2242). Questions concerning bona fide intents should be submitted to: Document Control Officer (TS-793), Office of Pesticides and Toxic Substances, U.S. Environmental Protection Agency, 401 M St., SW., Washington, D.C. 20460.

One may also ask whether a given substance, which he did not report, is on the Master Inventory File without establishing a bona fide intent to manufacture or import. In that case, the Agency will search only those substances for which chemical identity has not been claimed confidential. These requests should be submitted directly to the Inventory Inquiry Service.

The Agency also assists persons using the Revised Inventory and interpreting regulations related to it. Anyone desiring such assistance may call the EPA Industry Assistance Office at (800) 424-9065 (in Washington, D.C., call 554-1404), or write to: Director, Industry Assistance Office (TS-799), U.S. Environmental Protection Agency, 401 M St., S.W., Washington, D.C. 20460

E. Availability of Copies of Cumulative Supplement

EPA will furnish one, and only one, free copy of the Cumulative Supplement to each person/firm requesting it. Those who previously ordered the Initial Inventory from EPA will automatically receive the Cumulative Supplement: there is no need to reorder. Those who ordered the Initial Inventory from the Government Printing Office will not automatically receive the Cumulative Supplement and may request a copy from the Industry Assistance Office. Allow two weeks from publication date for receipt of the printed copy. Persons/firms who wish to purchase additional copies may contact: Superintendent of Documents, Government Printing Office (GPO), Washington, D.C. 20402, Order Desk: (202) 783-3238.

Requests for copies of the Cumulative Supplement should specify the document number (GPO No. 055-000-00189-8) and be accompanied by a check or money order in the amount of $12.00 per copy.

The Cumulative Supplement is also available on microfiche, which will be automatically distributed to those who ordered the Initial Inventory on microfiche. Additional microfiche sets for the four-volume Initial Inventory, the Trademark and Product Name lists, and the Cumulative Supplement may also be obtained through the EPA Industry Assistance Office while supplies last.

The Cumulative Supplement is also available in two sections on computer tape. The first section lists the chemical substances by their CAS Registry Number, preferred chemical name, and where appropriate, molecular formula.

The second section is an alphabetical listing of chemical synonyms for the substances. The listed synonyms include only those reported to EPA for these substances, in contrast to the printed Inventory which also included synonyms derived from CAS files. The tape does not include generic names for substances with confidential identities. The computer readable version of the Cumulative Supplement may be obtained by writing to: National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161, Sales Desk: (703) 557-4650.

The price for the computer tape has not yet been determined, but may be obtained by calling the EPA Industry Assistance Office after publication of the Revised Inventory. Requests for the tape should specify document number (EPA 560/13-80-025) and be accompanied by a check or money order. Anyone who has an established account with NTIS or an American Express Card may call the NTIS Sale Desk and place the order by phone. A copy of the documentation for the computer tape will be available through the EPA Industry Assistance Office.

F. Premanufacture Notification Requirements

Section 5(a)(1) of TSCA requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import of such a substance commences. A "new" chemical substance is any substance not on the Inventory. For manufacturers and importers in bulk the requirement to submit a PMN became effective July 1, 1979.

EPA proposed premanufacture notification rules and forms published in the **Federal Register** of January 10, 1979 (44 FR 2242) and reproposed them in the **Federal Register** of October 16, 1979 (44 FR 59764). These regulations are not yet in effect. Until they become effective, the Agency issued a Statement of Interim Policy published in the **Federal Register** of May 15, 1979 (44 FR 28564) explaining premanufacture notification requirements.

On August 30, 1980, or 30 days after publication of the Revised Inventory, the premanufacture notification requirements will apply to importers of chemical substances as part of mixtures, but will not apply to importers of chemical substances as part of articles, as discussed under Comment 21 of Appendix A to the Inventory Reporting Regulations. Importers of new chemical substances as part of mixtures should consult the Statement of Interim Policy for guidance concerning submission of PMNs to EPA.

Under the Interim Policy, processors may submit PMNs only as agents of manufacturers or importers. If a processor wants to process a chemical substance which is not on the Inventory and wishes to ensure a continuing supply of that substance, the processor should ask the manufacturer or importer of the substance to submit a PMN.

Dated: July 23, 1980.

Steven D. Jellinek,

Assistant Administrator for Pesticides and Toxic Substances.

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/APHIS		DOT/COAST GUARD	USDA/APHIS
DOT/FAA	USDA/FNS		DOT/FAA	USDA/FNS
DOT/FHWA	USDA/FSQS		DOT/FHWA	USDA/FSQS
DOT/FRA	USDA/REA		DOT/FRA	USDA/REA
DOT/NHTSA	MSPB/OPM		DOT/NHTSA	MSPB/OPM
DOT/RSPA	LABOR		DOT/RSPA	LABOR
DOT/SLSDC	HHS/FDA		DOT/SLSDC	HHS/FDA
DOT/UMTA			DOT/UMTA	
CSA			CSA	

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408

REMINDERS

The "reminders" below identify documents that appeared in issues of the **Federal Register** 15 days or more ago. Inclusion or exclusion from this list has no legal significance.

Rules Going Into Effect Today

Note: There were no items eligible for inclusion in the list of **Rules Going Into Effect Today.**

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws.**

Last Listing July 25, 1980

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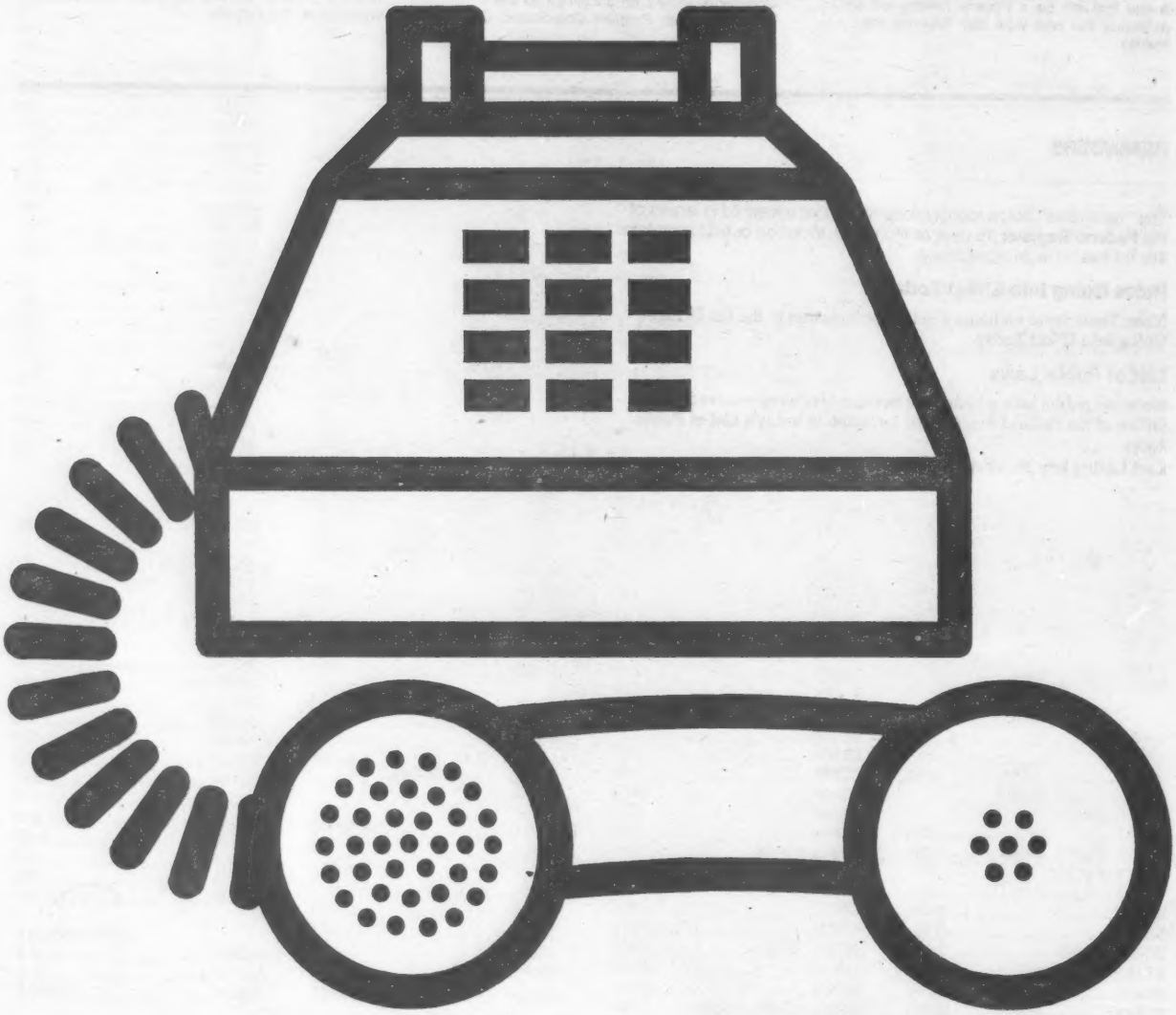
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